THE MARUMAKKATHAYAM BILL.

Mr. Ananda Row.—Sir, I beg permission to introduce a Bill relating to the marriage, succession and family management among certain classes of Marumakkathayees, *viz*, Samanthas and Nairs. The draft Bill, with the G. O. thereon, was published in the Gazette so early as the 23rd December 1910. I beg permission to further move for the operation of the Rules being suspended under Section 66 of the Legislative Council Rules and to have the principle of the Bill affirmed at this meeting, so that it may be referred to a Select Committee. The G. O. has gone into the details of the Bill fully and I do not think it necessary for me to go over the same ground once more and to explain at great length the principle underlying the provisions of the draft Bill.

President.—Rule 66 of the Legislative Council Rules lays down that "the Council may, on a motion and at any time, suspend the operation of any of the rules." The first point for consideration, therefore, is whether, in the case of the Bill, the operation of the Rules should be suspended, and the Bill permitted to be introduced and the principle thereof discussed in Council to-day.

Mr. Madhavan Tampi.—Sir, I regret to have to oppose the motion before the Council. Sections 30 to 33 of the Legislative Council Rules contemplate that permission to introduce a Bill should be applied for and obtained from the Council, that the Bill, together with the Statement of Objects and Reasons, should then be published in the Gazette and copies thereof circulated among the Members, and that, after 15 days from the date of such publication, the principle of the Bill may be discussed in the Council. In the case of the present Bill these requirements have not been met. The Bill itself comes without notice. In para 14 of the G. O. No. J 6472 of the 23rd December last, the Government assured the public that the Bill would be introduced in *due* course. Nothing has transpired since then to justify the course now proposed. No emergency, State or communal, warrants the precipitancy with which the Bill is ushered into the Council. The abrupt turn given to the launching of the Bill must strike the public as strange, and is bound to handicap the opponents of the Bill, who will smell a distinction between a measure ordinarily inaugurated and another enjoying the protection of authority. There is no administrative or State exigency or expediency underlying the proposed piece of legislation, and the fullest and broadest scope needs to be allowed for the discussion of both the principle and details of the measure, which is purely of a social character. I am sure you will agree with me that this suspension of the Rules should not be allowed unless exceptional and emergent grounds were shown. In the present instance, there is nothing like it, and adherence to the ordinary procedure will not only not be a disadvantage, but may generate a healthier confidence in the public mind, which would secure to the Council the advantage of open and genuine opinion. I am not satisfied that there is any necessity for departing from the usual course. I beg, therefore, to oppose the motion on the table. I have, however, no objection to permission being granted to introduce the Bill.

Mr. Sri Narayanan Tampi.—I agree with Mr. Madhavan Tampi. There appears to be no necessity to hurry the Bill through several stages as proposed. Permission may be granted to introduce the Bill.

Mr. Easwara Pillai.—I am also of the same view.

Mr. Kesava Pillai.—I also think that it would be better to follow the usual procedure laid down by the Rules. There is no objection to the Mover being granted leave to introduce the Bill.

Mr. Ananda Row.—I beg to be permitted to say that the Bill has not been brought without any notice. I admit that the Bill was not included in the agenda. But the Bill has been duly published in the Gazette, more than two months ago, and it has been before the public all this time. So far as I know the principle of the

LIBRARY ARCHIVES Kerala Legislative Assembly

Bill has not been objected to. It is on these grounds that I moved for the suspension of the Rules and for the principle of the Bill being taken up for consideration at this meeting. As however the sense of the Council seems to be otherwise, I beg now to move that permission may be granted to me to introduce the Bill, and that the Bill be published in the Gazette, so that the discussion of the principle may be taken up at the next meeting of the Council.

Permission was granted accordingly.

THE HIGH COURT REGULATION AMENDMENT BILL.

Mr. Ananda Row.—Sir, I beg permission to move for the operation of the Rules being suspended under Section 66 of the Legislative Council Rules and to introduce the High Court Regulation Amendment Bill. The Bill, as the Statement of Objects and Reasons therefor shows, merely vests certain powers in a single Judge of the High Court. These are powers relating to miscellaneous matters and are mostly dealt with by a single Judge in the Madras High Court. I further move for the affirmation of the principle thereof. My reason for asking for the suspension of the Rules is that I consider the Bill urgent, as there is much congestion of work in the High Court, and it is desirable to pass the Bill into law by the time the High Court reopens after the coming midsummer vacation.

Seconded by Mr. Vieyra.

Copies of the draft Bill, with the Statement of Objects and Reasons, were then circulated among the members, and after the members had perused the Bill, Mr. Ananda Row's motion was taken up.

Mr. Madhavan Tampi.— I am of the view that the Bill should pass through the usual stages, as some of the provisions require careful study and consideration.

Mr. Kesava Pillai.—I too think that the power proposed to be given to single Judges in the matter of disposal of revision petitions, and probably also the last Clause in the Bill require study, and there may possibly be differences of opinion as regards these provisions. I am therefore for allowing the Bill to take its usual course. Leave may be granted at this meeting to introduce the Bill.

Permission was accordingly granted to the Mover to introduce the Bill at the next meeting of the Council.

The Council also resolved that the Bill be published in the Gazette immediately, so that the discussion of the principle may be taken up at the next meeting.

THE TOBACCO BILL.

Mr. Raman Pillai.—I beg leave to present the report of the Select Committee on the Tobacco Regulation Amendment Bill. The report and the amended Bill have been duly circulated among the Members and published in the Gazette. I beg to move that the Bill may be taken up for consideration.

Section 1.

Mr. Vieyra.—I propose to insert the word "it" between the words "a" and "shall" in line 3.

Seconded by Mr. Ananda Row.

Carried.

Section 6.

Mr. Raman Pillai.—I beg to propose that for the word 'Departments' in line 3, "Department" be substituted. The amendment is verbal.

Seconded by Mr. Ananda Row.

Carried.

LIBRARY ARCHIVES Kerala Legislative Assembly